

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

YAMIL RIVERA-KADER,

Defendant.

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8:02CR164

ORDER

This matter is before the court on defendant's motion to continue trial (#464). For good cause shown, and upon the representation that the defendant will file a waiver of speedy trial in accordance with NECrimR 12.1,

IT IS ORDERED that the motion to continue trial (#464) is granted, as follows:

1. Trial of this matter is continued from January 10, 2006 to **March 28, 2006** before Judge Laurie Smith Camp and a jury.

2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **January 10, 2006 and March 28, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

3. Defendant shall file a speedy trial waiver as soon as is practicable.

DATED December 30, 2005.

BY THE COURT:

s/ F.A. Gossett

United States Magistrate Judge